Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 87 /2005

PETITIONER

S.K. Tiwari, aged about 47 years, son of Late V.N. Tiwari, occupation – service, posted as Sub Divisional Officer / Assistant Engineer, Rural Engineering Service, Sub Division No.2, Surajpur, Distt. Surguja (C.G.)

Resident of – Irrigation colony, Surajpur, Distt. Surguja (Chhattisgarh)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department of Panchayat Evam Gramin Vikas Vibhag, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. The Chief Engineer, Gramin Yantriki Seva, Raipur. (C.G.).

3. The Collector Surguja (CG)

4. The Chief Executive Officer, Zila Panchayat – Surguja, Distt. Surguja (CG)

5. The Executive Engineer, Gramin Yantriki Seva, division No. 1, Ambikapur, Distt. Surguja (CG)

6. Hitendra Kumar Vishwakarma, Assistant Engineer, Gramin Yantriki Seva, Surajpur, Distt. Surguja (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

(20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 37/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	25.01.2005: -	

Shri Prashant Jaiswal, Sr. counsel with Shri Sushil Dubey, counsel for the petitioner.

Shri Akhil Agrawal, learned P.L. for the State/respondents.

The petitioner has preferred this petition against the order of Annexure P/1 by which the petitioner has been directed to hand over the charge of Rural Engineer Services, Sub-division No. 2, Surajpur to respondent No. 6.

Learned counsel for the petitioner submits that the petitioner was posted by the Collector, Sarguja vide order of Annexure P/2 as Sub-divisional Officer, Rural Engineering Services, sub-division-2, Surajpur against a vacant post. Though, the petitioner is a Sub-engineer and therefore, the order of Annexure P/1 is bad inasmuch as there is no mention as to where the petitioner is to be posted.

On going through the order of Annexure P/2 it appears that the petitioner was simply given the charge of Sub-division-2, Rural Engineering Services, Surajpur and order of Annexure P/1 shows that respondent No. 6 has been formally promoted to the post of Assistant Engineer, Rural Engineering Services, Sub-division No. 2, Surajpur and the petitioner has been directed to hand over the charge to respondent No. 6.

I have heard learned counsel for the petitioner and gone through the orders of Annexure P/1 and P/2.

GRPRJ—FS/350—12/2000—50,000.

(21)

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मामला क्रमांक W.P. 3710 5 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

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	Taking into consideration the fact that the petitioner is a Sub Engineer and who was simply posted as Sub-divisional Officer, no right as accrued to the petitioner to continue as a Sub-divisional Officer on the extent of document of Annexure P/2. As a result, the petition has no merits and it deserves to be dismissed and it is accordingly dismissed. **Sd/-** **Dhirendra Mishra** **Judge**	

GRPRJ—FS/350—12/2000—50,000.